

IDAHO BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY
ADMINISTRATORS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/26/2018

BOARD MEMBERS PRESENT: Heidi Brough Nye - Chair
Kristen E Hyde
Natalie M Nathan
Ann F Wheeler
Linda L Simon

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Roger Hales, Legal Counsel
Betsy Duncan, Technical Records Specialist II
Lizzie Kukla, Technical Records Specialist I

OTHERS PRESENT: George Thomas, Executive Director,
Stevens-Henager College
Paul Faletto, Stevens- Henager College
Cory Sanford, HR Director, Ashley Manor
Kris Ellis, Idaho Health Care Association

The meeting was called to order at 10:00 AM MDT by Heidi Brough Nye.

INTRODUCTIONS

Ms. Kukla was introduced to the Board. The "Others Present" listed above were introduced to the Board.

APPROVAL OF MINUTES

Ms. Simon made a motion to approve the minutes of 5/9/2018. It was seconded by Ms. Wheeler. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office was July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office is August 17, 2018 for the 2019 Legislative Session.

INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE

Ms. Cory said that the Executive Order report was submitted to the Governor and Lt. Governor prior to July 1 and it has been linked on the Board's main webpage.

Ms. Cory updated the Board on the legislative interim committee on occupational licensing and certification laws. The Occupational Licensing & Certification Laws Committee met on June 22. Ms. Cory was invited to present on the process and executive order reports for the Boards served by the Bureau. It also heard from Greg Wilson, chief of staff to Lieutenant Governor Little; Albert Downs, policy specialist for the National Conference of State Legislatures; and Patrick Grace, regional manager for the Division of Building Safety.

In her presentation before the Committee, Ms. Cory noted that 29 of the 30 Boards served by the Bureau had submitted their reports. She let the Board know that all of the reports were submitted before the July 1 deadline and each Board's report has been posted to its website.

Comments by the Committee included that its efforts appeared to be on a parallel track with those of the executive order, and committee members outlined a framework where each of them would take a few reports to review with members of the Boards who wrote them. The co-chairs encouraged legislators on the committee to volunteer to review reports where they felt like they had a connection to the occupation or had constituents who serve on the Board.

The Committee set its next meeting for Tuesday, August 7.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$83,161.54) as of 6/30/2018.

DISCIPLINE

Ms. Peel presented Findings of Fact, Conclusions of Law, and Final Order regarding case RCA-2018-6. Ms. Simon moved the Board approve the recommendation for discipline. It was seconded by Ms. Nathan. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

OPEN MEETING LAW

Mr. Ellsworth reviewed HB611 that made changes to the open meeting law regarding meeting notices and agendas. Changes effective July 1, 2018 included: notices and agendas must be posted online if the agency has an online presence; identification of all “action Items” must be noted on the agenda; and final action may not be taken on an agenda item added after the start of the meeting unless an emergency is declared.

OLD BUSINESS

The Board reviewed the To Do List. The item for discussion about NHA/RCA Board structure was deleted. Ms. Brough Nye confirmed approval of exam questions to be used in forming new open-book exam versions for applicants.

Ms. Brough Nye reported to the Board that she was not able to attend and represent the Board at the boot camp trainings that are planned by the Idaho Department of Health and Welfare (IDHW) for the remainder of 2018. Ms. Nathan said it was a possibility for her to attend the Caldwell training in November. Ms. Brough Nye said she will follow up with IDHW and Ms. Nathan.

PROPOSED LAW AND RULE CHANGES

The subcommittee that is working with Idaho Health Care Association reported they are discussing the licensing process and potential rule changes for applicants who have criminal activity or license discipline issues.

Mr. Hales presented drafts of rule changes to Rule 24.19.01. Ms. Wheeler made a motion to approve and submit the proposed change to sub-section 160 to the 2019 Legislative Session. It was seconded by Ms. Hyde. Motion carried.

APPLICATION FORM REVISIONS

The Board reviewed the drafts for the application and the provisional permit. Ms. Nathan made a motion to approve the forms with noted modifications. It was seconded by Ms. Wheeler. Motion carried.

Mr. Sanford presented eight continuing education courses from Ashley Manor. The Board members will continue individual review of the presented course materials for further discussion at the next Board meeting.

Mr Thomas presented Stevens-Henager College courses to the Board. The Board discussed possible application of the course offerings for licensees and made suggestions to Mr. Thomas.

Ms. Hyde left the meeting at 1:05 PM MDT.

NEW BUSINESS

NEXT MEETING was scheduled for 10/10/2018 at 10:00 AM MDT.

EXECUTIVE SESSION

Ms. Simon made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Ms. Wheeler. The vote was: Ms. Brough Nye, aye; Ms. Nathan, aye; Ms. Simon, aye; and Ms. Wheeler, aye. Motion carried.

Ms. Simon made a motion to come out of executive session. It was seconded by Ms. Nathan. The vote was: Ms. Brough Nye, aye; Ms. Nathan, aye; Ms. Simon, aye; and Ms. Wheeler, aye. Motion carried.

APPLICATIONS

Ms. Nathan made a motion to approve RANDALL SWOPE for a permit and for examination. It was seconded by Ms. Simon. Motion carried.

Ms. Nathan made a motion to approve 901159324 for examination pending additional information and review by a Board member. It was seconded by Ms. Simon. Motion carried.

Ms. Nathan made a motion to approve 901160371 for examination pending additional information and review by a Board member. It was seconded by Ms. Simon. Motion carried.

Ms. Nathan made a motion to approve 901157420 for examination pending additional information and review by a Board member. It was seconded by Ms. Simon. Motion carried.

Ms. Nathan made a motion to approve 901160388 for examination pending additional information and review by a Board member. It was seconded by Ms. Wheeler. Motion carried.

ADJOURNMENT

Ms. Simon made a motion to adjourn the meeting at 2:16 PM MDT. It was seconded by Ms. Wheeler. Motion carried.

Heidi Brough Nye, Chair

Kristen E Hyde

Natalie M Nathan

Ann F Wheeler

Linda L Simon

Tana Cory, Bureau Chief